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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,333	06/21/2000	Hidemi Sasaki	Q59726	6395

7590 03/23/2005
Sughrue Mion Zinn MacPeak & Seas
2100 Pennsylvania Avenue NW
Washington, DC 20037

EXAMINER

HO, TUAN V

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/598,333

Applicant(s)

SASAKI, HIDEKI

Examiner

Tuan V Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/3/05 has been entered.

2. Applicant's arguments with respect to claims 1-8 and 10-13 have been considered but are moot in view of the new ground(s) of rejection.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United

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States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-5, 7-13 are rejected under 35 U.S.C. 102(e) as being anticipated by McIntyre et al (US 6,149,256).

With regard to claim 1, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the camera section for photographing a subject as an electronic image through an image sensor and recording the electronic image as digital image data in a memory (digital camera 11 includes image sensor and a memory device, col. 4, lines 30-41); a printer section for printing an image of the subject on a recording material based on the digital image data (printing cartridge 10 is used to print an object image on a Mylar sheet from digital camera 11, col. 2, lines 59-64 and col. 4, lines 30-44); and a power source section comprising a first power source for supplying the camera section (digital camera power source 50, col. 4, line 63) and a second power source for supplying the printer section separately from each other (battery 34, col. 4, line 25), wherein the first power source and the second power source are disposed in separate housings (digital camera battery 50 and battery 34 are separately located in camera body and cartridge 10, respectively).

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With regard to claim 2, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the recording material is a photographic material (Photomedia, col. 3, table 1).

With regard to claim 4, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the second power source has a larger capacity than the first power source (batteries 34 includes four batteries which are inherently larger capacity than the capacity of digital camera 50 since batteries is used to operate mechanical devices in the printing cartridge 10 while digital battery 50 is used only for electronics circuitry in the digital camera 11).

With regard to claim 5, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the second power source is constituted of secondary batteries (battery 34 includes four different batteries which are considered as secondary batteries).

With regard to claim 7, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the switching device for connecting the second power source to the camera section, and for connecting the first power source to the printer section (cartridge interface & printer electronics 46 working in combination with contact terminals 18, 19 and 20 of

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cartridge 10 switches and connects batteries 34 of cartridge 10 to digital camera 11; and connects battery 50 to the printing cartridge 10 via electronics 46, col. 3, lines 45-60 and col. 4, lines 59-67; noted that claim 7 recites only connecting circuits between the printer and camera body and Fig. 5 clearly shows the connecting between camera 11 and batteries 34 and 50).

With regard to claim 8, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the switching device is controlled depending upon input signals entered through external operation (electronics block 46 is controlled upon receiving input signals from cartridge 10, col. 3, lines 44-61 and col. 4, lines 59-67).

With regard to claim 10, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the second power source is accommodated in a housing that is attached to a camera body in a removable fashion (batteries 34 are attached to cartridge 10, wherein the cartridge 10 is removably attached to the camera body 11 as shown in Fig. 6).

With regard to claim 11, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the first power source comprises a first battery and the second power source comprises a second battery (battery 50 and batteries 34).

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With regard to claim 12, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the printer is incorporated into the camera housing (printing cartridge 10 is incorporated into the camera body when it is inserted into slot 10b of camera 11, col. 4, line 45).

With regard to claim 13, McIntyre et al discloses in Figs. 5-8, a digital electronic camera that comprises the first power source is the primary source of power for the camera section and the second power source is the primary source of power for the printer section (battery 50 is primary power source for digital camera 11 and batteries 34 are primary power source printing cartridge 50 as shown in Fig. 5, col. 4, lines 25 and 63).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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5. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre et al in View of Aoto et al (US 6,515,761).

With regard to claim 2, McIntyre et al discloses the same subject matter as discussed in claim 1, except that the recording material is a photographic material.

McIntyre et al does not disclose any recording material as photographic material. However, Aoto et al teaches using a camera system in which printer 200 uses print head 271 projecting light onto photosensitive paper 21 so as to print an object image thereon (col. 14, line 13-14, col. 17, lines 18-29, and col. 18, lines 1-2); where the use of the photosensitive material would simplify the printer circuit since there is no need for color ribbons or color inks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the printer section of McIntyre et al with printer 200 of Aoto et al; where the Aoto printer uses photosensitive paper or photographic paper in order to produce a hard copy for a pickup image captured by the camera section.

With regard to claim 3, McIntyre et al in view of Aoto et al discloses the same subject matter as discussed with respect to claim 2, except for the printer section comprises a printing

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head that projects light onto the photographic material across a line in accordance with the image data while moving relative to the photographic material.

McIntyre et al in view of Aoto et al discloses that printer 200 that including print head 271 projecting light onto the photosensitive paper 21; where the print head comprises LEDs formed in a straight line across the printing paper 21 (col. 17, line 24). However, McIntyre et al in view of Aoto et al does not explicitly discloses any printing head moving relative to the photosensitive paper.

Official Notice is taken for a printer that includes a print head able to move relative to a printing paper so as to provide printing data to the paper.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the printer of McIntyre et al in view of Aoto et al in order to obtain a print head that moves relative to the printing paper. This is because the modification of the print head moved relative to the paper would simplify the printer circuits by reducing rollers used to transport the paper to the print head and thereby to reduce the size of the camera and to conveniently to carry.

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6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre et al.

McIntyre et al discloses the same subject matter as discussed in claims 1 and 4, except that the second power source is constituted of batteries of a type that is compatible with a battery for the first power source.

McIntyre et al does not explicitly disclose any batteries of printing cartridge 11 having a type compatible with a battery for camera body 11. However, McIntyre et al teaches the use of camera body such as Kodak DC-260 which uses standard size battery type AA (col. 4, lines 36-37 and DC-260 User's Guide).

Official Notice is taken for a battery source used in a printer section, which is a standard size such as AA battery.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the battery housing of printing cartridge 10 so as to use the standard size battery AA, and thereby to easily and readily to obtain from the market and conveniently to replace batteries of the cartridge with the same size of the camera.

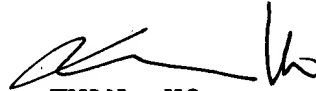
7. Claim 9 is allowed.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (571) 272-7365. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, JIM GROODY can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600.



TUAN HO

Primary Examiner

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